

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FEB 9 2000

U. S. DISTRICT COURT
W. DIST. OF N. C.

DOMNICK HUNTER, INC.,)	
)	CIVIL ACTION NO.
Plaintiff,)	3:99-CV-491-MU
)	
- against -)	
)	PLAINTIFF'S REPLY TO
WHATMAN, INC.,)	THE DEFENDANT'S
)	<u>COUNTERCLAIMS</u>
Defendant.)	

The plaintiff, Domnick Hunter, Inc., replies as follows to the Counterclaims of the defendant, Whatman, Inc.

1. The plaintiff lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the defendant's Counterclaims, and therefore denies said allegations.

2. The plaintiff admits the allegations contained in paragraph 2 of the defendant's Counterclaims.

3. The plaintiff denies infringement, but otherwise admits the allegations contained in paragraph 3 of the defendant's Counterclaims.

4. The plaintiff denies infringement, but otherwise admits the allegations contained in paragraph 4 of the defendant's Counterclaims.

5. See the responses to paragraphs 1-4 above.

6. The plaintiff denies the allegations contained in paragraph 6 of the defendant's Counterclaims.

7. The plaintiff lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the defendant's Counterclaims, and therefore denies said allegations.

8. The plaintiff denies the allegations contained in paragraph 8 of the defendant's Counterclaims.

9. The plaintiff denies the allegations contained in paragraph 9 of the defendant's Counterclaims.

10. The plaintiff denies the allegations contained in paragraph 10 of the defendant's Counterclaims.

11. The plaintiff denies the allegations contained in paragraph 11 of the defendant's Counterclaims.

12. The plaintiff denies the allegations contained in paragraph 12 of the defendant's Counterclaims.

13. The plaintiff denies the allegations contained in paragraph 13 of the defendant's Counterclaims.

14. The plaintiff denies the allegations contained in paragraph 14 of the defendant's Counterclaims.

15. The plaintiff denies the allegations contained in paragraph 15 of the defendant's Counterclaims.

16. See the responses to paragraphs 1-4 and 6-15 above.

17. The plaintiff denies the allegations contained in paragraph 17 of the defendant's Counterclaims.

18. The plaintiff denies the allegations contained in paragraph 18 of the defendant's Counterclaims.

19. The plaintiff denies the allegations contained in paragraph 19 of the defendant's Counterclaims.

20. The plaintiff denies the allegations contained in paragraph 20 of the defendant's Counterclaims.

21. The plaintiff denies the allegations contained in paragraph 21 of the defendant's Counterclaims.

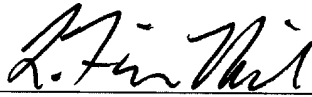
22. The plaintiff denies the allegations contained in paragraph 22 of the defendant's Counterclaims.

23. The plaintiff denies the allegations contained in paragraph 23 of the defendant's Counterclaims.

WHEREFORE, the plaintiff, Domnick Hunter, Inc., respectfully prays that the Court:

1. dismiss the defendant's Counterclaims with prejudice;
2. award the plaintiff its attorneys' fees pursuant to 35 U.S.C. §285;
3. award the plaintiff its costs pursuant to Rule 54(d) of the Federal Rules of Civil Procedure; and
4. award the plaintiff such other and further relief as the Court may deem just and proper.

This 9th day of February 2000.



I. Faison Hicks
N. C. State Bar No. 10672



George H. Pretty, II
N. C. State Bar No. 16794
Attorneys for the Plaintiff,
Domnick Hunter, Inc.

OF COUNSEL:

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**OBLON, SPIVAK, McCLELLAND, MAIER
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CERTIFICATE OF SERVICE

This is to certify that, on the 9th day of February 2000, I caused a copy of the foregoing to be hand delivered to:

William C. Mayberry, Esq.
Smith Helms Mulliss & Moore, L.L.P.
201 North Tryon Street
Charlotte, NC 28202

A handwritten signature in cursive script, appearing to read "I. Faison Hicks", written over a horizontal line.

I. Faison Hicks